

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARRON V. BEARD and

KENNETH A. JONES,

Defendants.

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

4:11CR3110

MEMORANDUM AND ORDER

The defendants have moved to continue the trial currently set for February 27, 2012. (Filing Nos. 52 and 53.) As explained in the defendants' motions, counsel needs additional time to investigate the case and discuss potential options with their clients. The government does not oppose the requested continuances. The court finds the motions should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendants motions to continue, (filing nos. 52 and 53), are granted.
- 2) The trial of this case is set to commence before the Honorable Richard G. Kopf at 9:00 a.m. on April 16, 2012, or as soon thereafter as the case may be called, for a duration of five (5) trial days, in United States Courthouse, Lincoln, Nebraska. The Lincoln courtroom that will be used for trials before Judge Kopf will be determined at a later date. Jury selection will be held at commencement of trial.
- 3) Based upon the showing set forth in the defendants' motions and the representations of defendants' counsel, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and April 16, 2012 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7)(A).

DATED this 15th day of February, 2012.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge